

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: RICHARD DEMARCO : CHAPTER 13  
Debtor(s) :  
: CHARLES J. DEHART, III :  
STANDING CHAPTER 13 TRUSTEE :  
: vs. :  
: RICHARD DEMARCO :  
Respondent(s) : CASE NO. 5-16-bk-03714

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 17<sup>th</sup> day of October, 2016, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

- a. Injury or other claim.
2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
  - a. Plan ambiguous – Wayne County Tax Claim on surrendered property.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 2nd day of November, 2016, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Mark Moulton, Esquire  
693 State Route 739, Suite 1  
Lords Valley, PA 18428

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee